

REMARKS

Claims 1-23 are pending in the application. Claims 1-10, and 12-21 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,904,727 (hereinafter referred to as the '727 patent). Claims 11, 22 and 23 stand rejected under 35 U.S.C. §103(a).

The '727 patent relates to methods for graphically tracking the location and status of mobile transmitter units. Specifically, the '727 patent describes a method for tracking a location of a transmitter using a computer system, the computer system is coupled to a vector database. The method includes the steps of determining the location of the transmitter, displaying a rasterized representation of a geographic area on a display, in response to the location of the transmitter, determining an icon associated with the transmitter, displaying the icon on the rasterized representation on the display, in response to the location of the transmitter, and outputting vector data in response to the location of the transmitter.

The '727 patent is intended to generate a rasterized display comprising, for example, a map of a city street with one or more markers or icons indicating the position of the tracked items.

This however, is not what is as claimed in the present invention. For example, in claim 1 a method is claimed, for producing a digital image for display, said method comprising the steps of:

- receiving position information corresponding to a geographical location where said digital image is captured;
- converting said position information into at least one user perceivable image capture location icon; and
- generating a display comprising said digital image and a location iconic region having at least one associated graphical image capture location icon.

The product of this method is the display of a digital image and a location iconic region having at least one associated graphical image capture location icon.

It will be appreciated from this that the subject matter of the '727 patent is substantially different from the subject matter claimed in the claims of the present invention and clearly does not anticipate many of the elements of the claims. Turning now to independent claim 1 it will be shown with specificity that the Office Action has not established that the elements of claim 1 are anticipated.

II. The '727 patent does not describe each element of claim 1.

The Office Action contends that the '727 patent shows a method for producing a digital image for display that anticipates each element of claim 1. The following reviews, on an element by element basis, the position of the Office Action and demonstrates that the position of the Office Action as to each element is not supported by the cited portions of the '727 patent upon which they rely.

1. Receiving Element

The Office Action contends that the '727 patent shows the step of receiving position information corresponding to a geographical location where the digital image is captured and cites the following portions of the '727 patent in support of this position: Fig. 2, Fig. 7, column 3, lines 10-30, column 5, lines 20-30. It is the Applicants' position that nothing in the '727 patent shows the steps of receiving position information corresponding to a geographical location where a digital image is captured.

As an initial matter, the '727 patent does not describe any process for obtaining position information corresponding to a geographical location where the digital image is captured. For example, if the rasterized image of the '727 patent is considered in the Office Action to read upon the "digital image" of claim 1, then the '727 patent should show some step for receiving position information corresponding to a geographical location where the rasterized image of the '727 patent is captured. Instead, as will now be shown using the portions of the '727 patent cited in the Office Action, the only location information received in the '727 patent is positional information received from a transmitter that is associated with a moving item such as a vehicle. For example, the office action cites the following portions of the '727 patent:

A. Fig. 2

Fig. 2 shows a rasterized image of a city street area with apparently identical black markers 160 indicating the location of various vehicles relative to the rasterized image. This figure does not show a digital image or any information indicating a geographical location where any digital image was captured. This is clearly described in the '727 patent as follows:

Fig. 2 illustrates a typical output display produced by one embodiment of the system in FIG. 1. The image 130 is

typically displayed on a raster-scan display screen and can include a map portion 140 and a vector data portion 150. Map portion 140 includes an image of a geographical area, typically from the raster database or alternatively the vector database, and includes a number of icons 160 representing vehicle location. Vector data portion 150 includes data from the vector database including present street location of the vehicle, closest- cross section streets, destination information, etc. As illustrated, vector data portion 150 also includes information regarding the operator, type of vehicle, status, etc. of vehicle in text form. (Col. 2, Lines 26 - 39).

Thus, Fig. 2 does not describe receiving positional information corresponding to a geographical location *where the digital image is captured*.

B. Fig. 7

Fig. 7 shows a display screen that comes up when a find vehicle command is issued. This display screen presents historical data related to a particular vehicle. This too is clearly described in the '727 patent as follows:

Find > Vehicle--When this menu option is selected, a dialog box appears from which the user can select a vehicle. FIG. 7 illustrates the Find > Vehicle dialog box. The user can either select a vehicle by scrolling from the list or by typing-in the vehicle name in the text box provided.

In the preferred embodiment of the present invention, when this command is invoked, the vehicle information matrix (VIM) discussed earlier is also automatically scrolled such that the selected vehicle information is displayed to the user (Col. 11, Lines 53 - 57).

Thus, Fig. 7 also does not describe receiving positional information corresponding to a geographical location *where the digital image is captured*. No image is shown in Fig. 7 and the discussion of Fig. 7 fails to use the term image.

C. Column 3, lines 10 - 30

The following is from Col. 2, Lines 65 - 68, and Col. 3 lines 1 - 15:

According to another embodiment, a method for tracking locations of transmitters with a computer system, the computer system coupled to a vector map database, includes the steps of determining a location of a first transmitter and a second transmitter, displaying a first rasterized representation of a first geographic area on a display, in response to the location of the first transmitter, and displaying a second rasterized representation of a second geographic area on the display, in response to the location of the second transmitter. The method also includes the steps of determining a first icon associated with the first transmitter, determining a second icon associated with the second transmitter, displaying the first icon on the first rasterized representation on the display, in response to the location of the first transmitter, displaying the second icon on the second rasterized representation on the display, in response to the location of the second transmitter, and outputting vector data in response to the location of the first transmitter and the second transmitter.

Thus, cited lines 10 - 15 of Col. 3 of the '727 patent do not describe receiving positional information corresponding to a geographical location *where the digital image is captured*. Instead, the only positional information transferred is related to the location of the first transmitter and second transmitter.

The following is from Col. 3, lines 16 - 30:

According to yet another embodiment, a method for graphically assigning jobs to vehicles with a computer system coupled to a vector database and a dispatching system, includes the steps of determining a location of a vehicle, displaying a rasterized representation of a geographic area on a display, determining a vehicle icon associated with the vehicle, and outputting vector data from the vector database in response to the location of the vehicle. The method also includes the steps of displaying the vehicle icon on the rasterized representation on the display, in response to the location of the vehicle, displaying a job icon on the display representing a job, in response to data from the dispatching system, and assigning the job to the vehicle by moving the job icon on top of the vehicle on the display.

Thus, cited lines 10-30 of the '727 patent do not describe receiving positional information corresponding to a geographical location *where the digital image is captured*. Instead, the only positional information transferred is related to the location of the first transmitter and second

transmitter.

D. Column 5 lines 20-30 of the '727 patent

The following is from column 5, lines 20-36 of the '727 patent:

FIG. 4 illustrates a more detailed preferred embodiment of the present invention. System 270 preferable includes a display manager 280, a raster map loader 290, a vector map loader, an icon manager 310, a callback manager 320, a distributor system 330 including an automatic vehicle locator (AVL) interface 340, a distributor 350, and a dispatcher 360, a data manager 370, a map window 380, and a vehicle information matrix (VIM) window 390. System 270 also includes raster (map) database 400, vector (map) database 410, configuration files 420, map view files 430, landmark files 440, vehicle files 450, and job files 460. AVL interface 340 includes a read queue 470 and a write queue 480, and communicates with dispatcher 360 through IPC (Inter Process Communication) queues 480.

Thus, cited lines 20 - 30 of the '727 patent do not describe receiving positional information corresponding to a geographical location *where the digital image is captured*. What is described is a general overview of a system that can be used to track the movement of a vehicle.

Accordingly each cited portion of the '727 patent fails to describe receiving positional information corresponding to a geographical location *where the digital image is captured*.

2. Converting Element

The Office Action further contends that the '727 patent shows the step of converting said position information into at least one user perceivable image capture location icon. Support for this position is said to be found at column 3, lines 20-33, at column 6 lines 55-65, and in Fig. 5. The following reviews each of these cited portions and demonstrates that they do not support this contention.

A. Col. 3, lines 20 - 30

The following is from Col. 3, lines 16 - 30:

According to yet another embodiment, a method for graphically assigning jobs to vehicles with a computer system coupled to a vector database and a dispatching system, includes the steps of determining a location of a

vehicle, displaying a rasterized representation of a geographic area on a display, determining a vehicle icon associated with the vehicle, and outputting vector data from the vector database in response to the location of the vehicle. The method also includes the steps of displaying the vehicle icon on the rasterized representation on the display, in response to the location of the vehicle, displaying a job icon on the display representing a job, in response to data from the dispatching system, and assigning the job to the vehicle by moving the job icon on top of the vehicle on the display.

Thus, cited lines 16-30 of the '727 patent do not describe converting said position information (corresponding to a geographic location where the digital image is captured) into at least one user perceivable image capture location icon. Instead, what is described is detecting a location of a vehicle and plotting the vehicle on a display. An icon for the vehicle is displayed at the location of the vehicle relative to the rasterized representation on the display. Note that the icon represents the *location of a vehicle*. There is no mention of a digital image, no mention of location data corresponding to a location where a digital image is captured and no method for converting the geographic location information into a user perceivable image capture location icon.

B. Column 6, lines 55-65 & Fig. 5.

Column 6, lines 55 - 65 state as follows:

The Vehicle Information Matrix (VIM) may also be displayed on display 530 upon start-up.

FIG. 5 illustrates a typical output display produced by an embodiment of the system in FIG. 4. FIG. 5 illustrates a display 550 including a VIM 560 and a map window 570. Map window 570 includes scroll bars 580 and 590 and a map 600. Map 600 includes vehicle icons 610 and 620, job icons 630 and 640, and landmark icon 650. Vehicle icons 610 and 620 include respective operator icons 660 and 670.

This is merely a list of icons presented on a rasterized display. There is no description of converting said position information (corresponding to a geographic location where the digital image is captured) into at least one user perceivable image capture location icon.

Accordingly the converting element is not anticipated by the cited portions of the '727 patent.

C. Generating Element

The Office Action further indicates that the '727 patent shows the step of generating a display comprising said digital image and a capture location iconic region having at least one associated graphical image capture location icon at Fig. 5, column 6, lines 55-65 and at Fig. 2. The following reviews each of these cited portions and demonstrates that they do not support this contention.

1. Column 6, lines 55-65 & Fig. 5.

Column 6, lines 55 - 65 state as follows

The Vehicle Information Matrix (VIM) may also be displayed on display 530 upon start-up.

FIG. 5 illustrates a typical output display produced by an embodiment of the system in FIG. 4. FIG. 5 illustrates a display 550 including a VIM 560 and a map window 570. Map window 570 includes scroll bars 580 and 590 and a map 600. Map 600 includes vehicle icons 610 and 620, job icons 630 and 640, and landmark icon 650. Vehicle icons 610 and 620 include respective operator icons 660 and 670.

This is merely a list of icons presented on a rasterized display. There is no discussion of generating a display comprising said digital image and a capture location iconic region having at least one associated graphical image capture location icon. In particular, the only items described as being presented are windows containing a text information manager 560 and a map window 570 which presents a rasterized map 600 and various icons. No capture location iconic region having at least one associated graphical image capture location icon is described as being presented.

2. Fig. 2

Fig. 2 shows a rasterized image of a city street area with apparently identical black markers 160 indicating the location of various vehicles relative to the rasterized image. This is clearly described in the '727 patent as follows:

Fig. 2 illustrates a typical output display produced by one

embodiment of the system in FIG. 1. The image 130 is typically displayed on a raster-scan display screen and can include a map portion 140 and a vector data portion 150. Map portion 140 includes an image of a geographical area, typically from the raster database or alternatively the vector database, and includes a number of icons 160 representing vehicle location. Vector data portion 150 includes data from the vector database including present street location of the vehicle, closest- cross section streets, destination information, etc. As illustrated, vector data portion 150 also includes information regarding the operator, type of vehicle, status, etc. of vehicle in text form. (Col. 2, Lines 26 - 39).

Here too there is no discussion of generating a display comprising said digital image and a capture location iconic region having at least one associated graphical image capture location icon. In particular the only items described as being presented are windows containing a text information manager 560 and a map window 570 which presents a rasterized map 600 and various icons. A capture location iconic region having at least one associated graphical image capture location icon is not described as being presented.

For these reasons it is believed that the present invention as claimed in claim 1, is not anticipated by the '727 patent. Accordingly, claim 1 and all claims that depend from claim 1 are believed to be in a condition for allowance.

II. The '727 patent does not describe each element of claim 12.

The claims 12-21 stand rejected apparently under 35 U.S.C. 102(b) on the grounds that they "show the same information as above and are rejected for the same reasons." As has been shown above, there is no basis for asserting that the '727 patent anticipates each of the elements of claim 1. Accordingly, claim 12, and claims 13-23 which depend ultimately from claim 12 are believed to be in condition for allowance.

CONCLUSION

The '727 patent fails to anticipate each element of independent claims 1 and 12 of the pending application. Accordingly, each of the claims is in a condition for allowance, prompt notice of which is earnestly solicited.

Respectfully submitted,



Attorney for Applicant(s)
Registration No. 40,802

Roland R. Schindler/jrk
Rochester, NY 14650
Telephone: 585-588-2736
Facsimile: 585-477-1148